

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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ANDREW M. DECKER, on behalf of himself  
and all others similarly situated,

Plaintiff,

Case # 11-CV-6373-FPG

v.

DATA LISTING SERVICES, LLC, d/b/a THE  
CONNECTION and DATA LISTING SERVICES,  
(JAMESTOWN), LLC,

Defendants.

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**FINAL ORDER APPROVING SETTLEMENT**

On October 16, 2013, this Court entered an order granting the joint motion of Data Listing Services, LLC d/b/a The Connection and Data Listing Services (Jamestown), LLC (“Defendants”) and Plaintiff Andrew M. Decker (the “Plaintiff”), on behalf of himself and the certified WARN Class for: (I) an Order: (a) preliminarily approving a settlement agreement resolving certain WARN Act claims, (b) approving the form and manner of notice to class members of the proposed settlement, (c) scheduling a final fairness hearing for approval of the settlement; and (II) an Order: (a) approving the settlement under Federal Rule of Civil Procedure 23, and (b) approving class counsel’s fees and expenses (the “Joint Motion”). Subsequent to that order, notice was given to all class members, as reflected in the Affidavit of Service filed with the Court on November 7, 2013. Dkt. 41. The time to file any objections to the settlement has expired, and no such objections were filed. As required by Fed. R. Civ. P. 23(e)(2), the Court held a fairness hearing on January 3, 2014, where no objections were made to the proposed settlement. After due consideration, it is hereby

ORDERED that the Court finds the settlement, as memorialized in the Stipulation of Settlement, to be fair, reasonable and adequate, and the settlement is therefore approved in all respects. The Settlement is binding upon the parties and the WARN Settlement Class, and

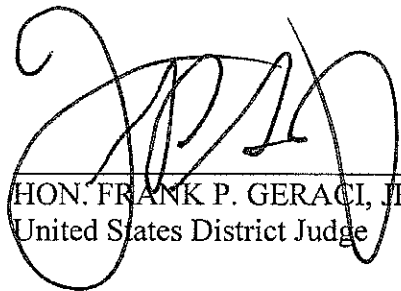
counsel shall distribute the settlement funds in accordance with the Stipulation of Settlement. As detailed in the Stipulation of Settlement, class counsel is awarded fees, inclusive of expenses, of thirty-three and one-third (33⅓ %) of the Settlement Proceeds, which is \$83,333.00, to be payable exclusively from the settlement proceeds. It is further

ORDERED that entry of this Final Order is without prejudice to the relief granted in the Preliminary Order, and is further

ORDERED that this Court shall retain jurisdiction to enforce the terms of the Stipulation of Settlement and of this Order. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

DATED: January 31, 2014  
Rochester, New York



HON. FRANK P. GERACI, JR.  
United States District Judge